

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DANIEL C. TANNER,

Plaintiff,

vs.

ROLLING RIVER, LLC, in personam; and
THE VESSEL RIVER CITY STAR, in rem;

Defendants.

8:17CV337

ORDER TO SHOW CAUSE

[Federal Rule of Civil Procedure 4\(m\)](#) provides, “If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff - must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” [Fed. R. Civ. P. 4\(m\)](#).

Plaintiff commenced this action on September 15, 2017 ([Filing No. 1](#)), and the Clerk of Court issued summons for both defendants on September 21, 2017. ([Filing No. 9](#); [Filing No. 11](#)). More than 90 days have elapsed since the Complaint was filed. To date, Plaintiff has not filed any return of service indicating service on Defendants, and Defendants have not entered a voluntary appearance. Accordingly,

IT IS ORDERED that Plaintiff shall have until January 12, 2018, to show cause why this case should not be dismissed pursuant to [Federal Rule of Civil Procedure 4\(m\)](#) or for want of prosecution. The failure to timely comply with this order may result in dismissal of this action without further notice.

Dated this 22nd day of December, 2017.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge